

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2021-349-E ORDER NO. 2021-157-H**

**DECEMBER 20, 2021**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Joint Petition of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to Request the Commission to Hold a Joint Hearing with the North Carolina Utilities Commission to Develop Carbon Plan**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of the South Carolina Department of Consumer Affairs (“DCA”)**

**CHIEF HEARING OFFICER’S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of the South Carolina Department of Consumer Affairs in this Docket. The Petition is timely filed, and no objections to the intervention have been filed.**

**Pursuant to S.C. Code Ann. § 37-6-604 (2018), the Department may provide legal representation of the consumer interest before state and federal regulatory agencies when such agencies undertake to fix rates or prices for consumer products or services and may intervene as a party to advocate for the interest of consumers before the South Carolina Public Service Commission. In that capacity the Department does hereby petition to intervene as a formal party of record in Docket No. 2021-349-E.**

**After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party or parties have clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must set forth clearly and concisely:**

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

**The Petition states that DCA works to avoid excessive, inadequate, and unwarranted rate increases. Upon information and belief, DCA states that the Application may impact rates for South Carolina consumers, however, it has not yet fully developed its position on this matter. DCA reserves the right to set forth its position more fully as necessary and appropriate as this proceeding moves forward.**

**From these facts, this Hearing Officer holds that DCA has successfully satisfied two of the criteria for intervention stated in the Regulation. The Petitioner's interest in these matters can clearly be discerned, as can the grounds for the intervention. DCA's position has not yet been fully developed, but at this early stage of the proceedings, no party is prejudiced. Since DCA has reserved its right to more fully set forth its position as necessary and appropriate as this proceeding moves forward, and there is no prejudice at this time, the third criteria for intervention shall also be deemed satisfied.**

**Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of the South Carolina Department of Consumer Affairs is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.**